

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference WPP91205	FOR FURTHER ACTION	
See Form PCT/IPEA/416		
International application No. PCT/US2004/010532	International filing date (day/month/year) 02.04.2004	Priority date (day/month/year) 04.04.2003
International Patent Classification (IPC) or national classification and IPC C08F8/42, C08C19/44, C08K3/10, C08L9/00, C09J109/00		
Applicant BRIDGESTONE CORPORATION et al		
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 4 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> <i>(sent to the applicant and to the International Bureau) a total of sheets, as follows:</i></p> <ul style="list-style-type: none"> <input type="checkbox"/> <i>sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</i> <input type="checkbox"/> <i>sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</i> <p>b. <input type="checkbox"/> <i>(sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)), containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</i></p>		
<p>4. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Box No. I Basis of the opinion <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input checked="" type="checkbox"/> Box No. VIII Certain observations on the international application 		
Date of submission of the demand 21.10.2004	Date of completion of this report 17.02.2005	
Name and mailing address of the International preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized Officer Adams, F Telephone No. +49 89 2399-8511	



INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/US2004/010532

Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
 - This report is based on translations from the original language into the following language, which is the language of a translation furnished for the purposes of:
 - international search (under Rules 12.3 and 23.1(b))
 - publication of the international application (under Rule 12.4)
 - international preliminary examination (under Rules 55.2 and/or 55.3)
 2. With regard to the **elements*** of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

Description, Pages

1-16 as originally filed

Claims, Numbers

1-14 as originally filed

- a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing
 - 3. The amendments have resulted in the cancellation of:
 - the description, pages
 - the claims, Nos.
 - the drawings, sheets/figs
 - the sequence listing (*specify*):
 - any table(s) related to sequence listing (*specify*):
 - 4. This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
 - the description, pages
 - the claims, Nos.
 - the drawings, sheets/figs
 - the sequence listing (*specify*):
 - any table(s) related to sequence listing (*specify*):

* If item 4 applies, some or all of these sheets may be marked "superseded."

**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/US2004/010532

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	
	No:	Claims	1-14
Inventive step (IS)	Yes:	Claims	
	No:	Claims	1-14
Industrial applicability (IA)	Yes:	Claims	1-14
	No:	Claims	

2. Citations and explanations (Rule 70.7):

see separate sheet

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

**INTERNATIONAL PRELIMINARY
REPORT ON PATENTABILITY
(SEPARATE SHEET)**

International application No.
PCT/US2004/010532

- 1). Reference is made to the following documents:
D1: US-A-5 336 726 (DUBOIS DONN A) 9 August 1994 (1994-08-09)
D2: US-A-4 397 994 (TAKEUCHI YASUMASA ET AL) 9 August 1983 (1983-08-09)
D3: US-A-5 310 798 (LAWSON DAVID F ET AL) 10 May 1994 (1994-05-10)
D4: EP-A-0 240 044 (SHELL INT RESEARCH) 7 October 1987 (1987-10-07)
- 2). The present application does not satisfy the requirements set forth in Article 33(2) PCT because the subject-matter of the claims is not new in respect of prior art as defined in the regulations (Rule 64(1)-(3) PCT).

The subject-matter of the present claims 1 to 14 is already known from US-A-5336726 (D1) as cited in the International Search Report (cf. loc. cit.).
- 3). The subject-matter of the present claims 3 and 4 is furthermore known from US-A-4397994 (D2; cf. loc. cit.).
- 4). The present application does not satisfy the requirements set forth in Article 33(3) PCT because the subject-matter of the claims is not based on an inventive step in respect of prior art as defined in the regulations (Rule 65(1) and 65(2) PCT).

The subject-matter of the present claims 1 to 14 is obvious for a skilled person from the combination of the teachings of US-A-5310798 (D3) and EP-A-0240044 (D4) (cf. loc. cit.).

- 5). Unclear expressions like "about" should be deleted throughout the claims and the description (Art. 6 PCT).